

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

SITE 2020 INCORPORATED,

Plaintiff,

vs.

SUPERIOR TRAFFIC SERVICES,  
LLC,

Defendant.

SUPERIOR TRAFFIC SERVICES,  
LLC, AND SUPERIOR TRAFFIC  
SYSTEMS, LLC,

Counterclaim Plaintiffs,

vs.

SITE 2020 INCORPORATED,

Counterclaim Defendant.

CV 21-63-M-DLC-KLD

**ORDER**

Defendant-counterclaimant Superior Traffic Services, LLC, and counterclaim plaintiff Superior Traffic Systems, LLC (collectively, “Superior”) has moved for leave to file under seal its unredacted Memorandum in support of Superior’s Motion for Attorneys’ Fees and Costs. (Doc. 145).

The Parties have filed a Joint Stipulated Confidentiality Protective Order (Doc. 53). However, any party wishing to file any document under seal must make

the appropriate showing of good cause or compelling reasons as delineated in *Ground Zero Center for Non-Violent Action v. United States Department of the Navy*, 860 F.3d 1244, 1261 (9<sup>th</sup> Cir. 2017) (requiring a showing of compelling reasons to seal documents attached to dispositive motions and other filings relating to the merits of a case) and *Center for Auto Safety v. Chrysler Group, LLC*, 809 F.3d 1092, 1097 (9<sup>th</sup> Cir. 2016) (requiring only a showing of good cause to seal documents related to a non-dispositive motion or a motion unrelated to the merits of a case).

Plaintiff's motion for leave to file under seal concerns documents attached to a non-dispositive motion. Therefore, notwithstanding the Protective Order, Superior must provide good cause to seal the documents. Although Superior mentions the documents contain information designated as Protected Material by the parties under the Protective Order, this reason alone and unsupported is not good cause. Accordingly.

IT IS ORDERED that Superior's motion is DENIED without prejudice. Superior is granted leave to refile the motion to include good cause to seal the documents requested.

DATED this 17th day of October, 2023.

  
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Kathleen L. DeSoto  
United States Magistrate Judge